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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/506,919

05/04/2005

Stephen Taylor

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5428

156

7590

05/26/2006

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EXAMINER

WOO, STELLA L

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 05/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/506,919

Applicant(s)

TAYLOR ET AL.

Examiner

Stella L. Woo

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2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 48-94 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 48-94 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 48-66, 72-93 are rejected under 35 U.S.C. 102(e) as being anticipated by Hultgren (US 6,868,391).

Regarding claims 48, 50-52, 56, 72-75, 77-79, 91-93, Hultgren discloses a method of using a telecommunications network cashless transaction service comprising the steps of:

a) accessing the service by a user using a telecommunications network access instrument (mobile telephone 60) which produces a signal (using mobile telephone 60, customer dials the directory number of the telepay TSN 30; col. 4, lines 50-53; col. 6, lines 18-20),

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b) forwarding the access instrument signal to an interface device of the telecommunications network (the call is routed through PSTN 50 to telepay TSN 30; col. 6, lines 19-23),

c) extracting service identity dialed directory number indicates the service; col. 4, lines 50-53) and user identity data (customer identifier is obtained from the call signaling; col. 6, lines 23-26) from the access instrument signal by operation of the interface device (customer communication interface 202-1),

d) passing the data to a processing unit (computer 30C; col. 5, lines 5-9),

e) processing the data by operation of the service processing unit (col. 5, lines 5-9),

f) instructing the interface device to forward the access instrument signal to an input output device (peripheral 30P includes prompt generator interface 202-2 and information collector interface 202-3; col. 5, lines 11-14),

g) instructing the input output device to request details of a cashless transaction from the user (prompt generator interface 202-2 is directed to issue a series of prompts to request transaction details from the customer; col. 6, lines 28-41),

h) sending transaction details to the input output device (the transaction details are sent to the input output device (information collector 202-3 receives the customer input; col. 5, lines 11-13; col. 6, lines 44-50),

i) passing the transaction details to the service processing unit (the collected information is passed to a transfer coordination module 206 of TSN 30; col. 6, lines 51-56),

j) processing the transaction details and deciding whether or not the transaction can proceed (TSN 30 determines whether or not the transaction is authorized; col. 7, lines 18-34), said processing being performed entirely within the telecommunications network irrespective of the service identity and a vendor that supplies the service (TSN 30 is a service control point of an intelligent network; col. 12, lines 6-8),

k) causing output of a signal conveying acceptance or rejection of the transaction to the user (if the authorization message is negative, an invalid notification is sent to customer mobile station 60, col. 7, lines 39-42; if the authorization message is positive, the customer is notified by being prompted to verify the transaction, col. 8, lines 17-21), and

l) if the transaction can proceed, arranging for the transaction to be carried out by operation of the service processing unit (when the transaction is approved by both parties, the transfer coordination module 206 directs the funds transfer authorization module 210 to authorize initiation of the funds transfer; col. 8, line 66 – col. 9, line 18).

Regarding claim 49, PSTN 50 includes both landline and radio communication links (col. 3, lines 43-58).

Regarding claim 53, PSTN 50 includes SSP 40 (col. 6, lines 20-21).

Regarding claim 54, the customer's identifier is the customer directory number (col. 6, lines 24-25; col. 13, lines 33-47).

Regarding claim 55, TSN 30 includes an SCP (col. 12, lines 6-8).

Regarding claim 57, peripheral 30P receives and interprets DTMF or voice responses and also generates voice prompts (col. 5, lines 11-14; col. 6, lines 27-36).

Regarding claims 58-63, 65-66, prompt generator interface 202-2 prompts the customer for the merchant identifier and the transaction amount (col. 6, lines 35-50).

Regarding claim 64, note merchant communication module 204 (col. 5, lines 33-37).

Regarding claims 76, 80-83, the transaction verification process is conducted with the merchant communication module 204 (col. 8, lines 52-56; col. 9, lines 23-25).

Regarding claims 84-86, the transaction details can be provided to a customer's credit card billing service or telephone company billing service (col. 13, lines 1-49).

Regarding claims 87-90, the customer can be required to enter a PIN for security purposes (col. 6, lines 39-41).

3. Claim 94 is rejected under 35 U.S.C. 102(b) as being anticipated by Burns (US 4,201,887).

Burns discloses an audio coupler (terminal 2 includes an audio coupler 16; Figure 2), comprising:

an audio generator (signal generator 26); a receiver unit (audio coupler 16); a memory (memory 24); and input means (user interface 22).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 67 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hultgren in view of Busch, Jr. et al. (US 5,408,513, hereinafter "Busch").

Hultgren differs from claim 67 in that it does not specify using an audio coupler. However, Busch teaches the well known use of an audio coupler (Figures 1 and 2) for carrying out a cashless transaction service using a telephone device (Abstract; col. 4, lines 40-48) such that it would have been obvious to an artisan of ordinary skill to incorporate such use of an audio coupler, as taught by Busch, within the method of Hultgren so that less interaction is required by the customer.

6. Claims 68-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hultgren in view of Busch, as applied to claim 67 above, and further in view of Burns (US 4,201,887).

The combination of Hultgren and Busch differs from claims 68-71 in that it does not specify the audio coupler as having a memory. However, Burns teaches that it is old and well known to include within an acoustic coupling device a memory (terminal 2 includes a memory 24 and acoustic coupler 16; Figure 2) such that it would have been obvious to an artisan of ordinary skill to incorporate a memory within the acoustic coupler of Hultgren and Busch so that the user need not manually enter certain data, such as the merchant identifier (Hultgren; col. 6, lines 35-38), such that it would have been obvious to an artisan of ordinary skill to incorporate such use of a memory within the acoustic coupling device of Hultgren and Busch in order to simplify the purchasing process.

### ***Response to Arguments***

7. Applicant's arguments filed March 21, 2006 have been fully considered but they are not persuasive. Regarding claims 48, 91 and 92, Applicant argues that Hultgren does not show the processing of transaction details as being "performed entirely within the telecommunications network irrespective of the service identify and a vendor that supplies the service." However, in Hultgren, the processing is performed in TSN 30, which can be a service control point (SCP) of an intelligent network, within the telecommunications network (col. 12, lines 6-8).
8. Applicant's arguments with respect to claim 94 have been considered but are moot in view of the new ground(s) of rejection.

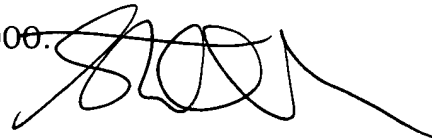


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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella L. Woo whose telephone number is (571) 272-7512. The examiner can normally be reached on Monday-Friday, 8:00 a.m. to 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Stella L. Woo', with a long horizontal line extending to the right.

Stella L. Woo  
Primary Examiner  
Art Unit 2614